

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

July 2023 CIVIL TRIAL LIST

This list contains both Bangor and Portland civil cases that will be scheduled for trial during the month of July, 2023. Counsel are advised to review this information carefully.

Jury Selection¹

- Jury selection in Portland cases is scheduled for July 5 and July 6 at 9:00 a.m.
- Jury selection in Bangor cases is scheduled for July 5 and July 6 at 9:00 a.m.

Final Pretrial Conferences

Final pretrial conferences have been scheduled before the Magistrate Judge or District Judge designated on the trial list. Final pretrial memoranda shall be filed one week prior to the scheduled conference.

Juror Questionnaires

Jurors summoned for selection are required to complete a questionnaire containing questions that will not be asked during jury impanelment. These questionnaires will be available in CM/ECF seven (7) days prior to selection and counsel are to review those questionnaires prior to selection. Only those questionnaires that are not available in CM/ECF will be available for review on the day of jury selection. Counsel of record will be provided access to these documents through the date of jury selection, after which the questionnaires will not be available for review.

Motions for Continuance

Any motion for a continuation of trial and motions for protection from trial shall be filed two weeks before the scheduled final pretrial conference. Motions filed thereafter will be considered by the Court only on a basis of cause for continuation.

Discovery Deadlines

Absent some excusable circumstance, discovery initiatives must be initiated sufficiently in advance of the discovery deadline to permit the opposing party to file, in advance of the discovery deadline, its appropriate response within the period allowed by the civil rules for such purpose.

A Summary of First Circuit Authority Concerning Opening Statements and Closing Arguments and the most recent Maine Local Rules can be found on the District Court's Internet Home Page at www.med.uscourts.gov .
--

¹ The Court will ordinarily plan to select 3 juries per day, with the second day held in reserve. Counsel should be prepared to select a jury on the first day, regardless of position on the trial list. The Court will notify counsel as soon as practicable if the second day is not needed.

Federal Rule of Criminal Procedure 50 requires that scheduling preference be given to criminal proceedings, raising the possibility that a civil case will be initially scheduled for the second day of impanelment.

PORTLAND

1)	BRIAN DUNNIGAN <u>Civil No. 2:19-cv-00450-GZS</u> (Jury)	v.	YORK COUNTY, et al
	Thomas F. Hallett, Esq. Grainne Dunne, Esq.		Elizabeth G. Stouder, Esq. John J. Wall, III, Esq.
	Telephonic Final Pretrial Conference scheduled for May 31, 2023 at 11:00 a.m. before U.S. Magistrate Judge John C. Nivison.		
2)	BARRETTE OUTDOOR LIVING INC <u>Civil No. 2:20-cv-00213-JDL</u> (Jury)	v.	INTEGRITY COMPOSITES LLC, et al
	Eviana Englert, Esq.		Christopher M. Candon, Esq. Michael J. Lambert, Esq. James S. Lamontagne, Esq. Martha C. Gaythwaite, Esq.
	Video Final Pretrial Conference scheduled for June 7, 2023 at 2:00 p.m. before Chief U.S. District Judge Jon D. Levy.		
3)	REBECCA BEHLEN <u>Civil No. 2:21-CV-317-JAW</u> (Jury)	v.	ASCENTRIA CARE ALLIANCE
	Guy D. Loranger, Esq.		Elizabeth Tull Johnston, Esq. Tawny L. Alvarez, Esq.
	Video Final Pretrial Conference scheduled for June 13, 2023 at 10:00 a.m. before U.S. District Judge John A. Woodcock, Jr.		
4)	BRIAN THOMPSON <u>Civil No. 2:22-cv-00060-NT</u> (Jury)	v.	JOHNSON CONTROLS INC
	Laura H. White, Esq.		Aimee B. Parsons, Esq.
	Video Final Pretrial Conference scheduled for June 8, 2023 at 9:00 a.m. before U.S. Magistrate Judge Karen Frink Wolf.		

5)	PAMELA PEATE <u>Civil No. 2:22-cv-00179-JDL</u> (Jury) Anthony K. Ferguson, Esq. Richard Lowell Grant, Esq. Video Final Pretrial Conference scheduled for June 1, 2023 at 10:00 a.m. before Chief U.S. District Judge Jon D. Levy.	v.	NUBBLE POND PARTNERS Frederick C. Moore, Esq. Jeanne C. Sund, I, Esq. Timothy J. Wannemacher, Esq.
6)	WILLIAM MORGAN <u>Civil No. 2:22-cv-00232-JDL</u> (Jury) Brent S. Snyder, Esq. John Z. Steed, Esq. Video Final Pretrial Conference scheduled for June 1, 2023 at 3:00 p.m. before Chief U.S. District Judge Jon D. Levy.	v.	CMG MORTGAGE INC Avery Simmons, Esq. David Long, Jr., Esq. Andrew J. Schaefer, Esq.

BANGOR

- 1) ASSOCIATION TO PRESERVE AND v. TOWN OF BAR HARBOR
PROTECT LOCAL LIVLIHOODS, et al
Civil No. 1:22-cv-00416-LEW
(Bench)

Timothy C. Woodcock, Esq.
P. Andrew Hamilton, Esq.
Patrick W. Lyons, Esq.
Seth W. Brewster, Esq.
Charles Jonathan Benner, Esq.
Kathleen E. Kraft, Esq.
Twain Braden, Esq.

Allison A. Economy, Esq.
Jonathan P. Hunter, Esq.
Stephen W. Wagner, Esq.
David P. Silk, Esq.
Robert Papazian, Esq.

Video Final Pretrial Conference scheduled for June 7, 2023 at 9:00 a.m. before U.S. Magistrate Judge Karen Frink Wolf.

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ELECTRONIC EVIDENCE PRESENTATION

The U.S. District Court for the District of Maine offers audio/visual equipment for use during hearings and trials. While each courtroom accommodates a different configuration of audio/visual equipment, they each accommodate the use of the Electronic Evidence Presenter (EEP). **Counsel must reserve the equipment well in advance of trial.**

The EEP consists of a digital document camera, a video cassette or digital video disk (DVD) player, and a projector. Images of exhibits are displayed using the digital document camera, which permits the judge, attorneys, witnesses and jury to view the images simultaneously. Using this equipment, the operator can zoom in on the most critical area of the exhibit in detail.

The EEP also allows attorneys to connect a laptop for presentation of evidence using PowerPoint or other presentation software. Attorneys **MUST** provide their own technical assistance in preparing the laptop evidence presentation. The Court will not troubleshoot compatibility problems for attorneys using the EEP.

Attorneys who wish to use courtroom audio or visual equipment at a trial or hearing are required to understand and be prepared to operate the equipment.

Attorneys who plan to use their own electronic equipment (such as laptops) at a hearing or trial must schedule time well in advance to practice and to test their equipment's compatibility with a courtroom's system.

Practice time should be scheduled with the Information Technology (IT) staff listed below for a date not less than two weeks prior to a hearing or trial.

The Court may deny the use of audio/visual equipment during a hearing or trial to attorneys who have failed to attend a practice session to confirm their equipment's compatibility with the court's system.

For Reservations Contact:

U.S. District Court I.T. Department

Helpdesk@med.uscourts.gov

207-274-5117